



Fw: EPA Access to LA By Pro landfills
Kelly Manheimer to: Shelley Stevens

12/14/2010 04:22 PM

Regards,
Kelly Manheimer
EPA, Superfund SFD-7-1
415-972-3290

----- Forwarded by Michael Massey/R9/USEPA/US on 11/19/2010 12:34 PM -----

From: Michael Massey/R9/USEPA/US

To: Anita sokolsky <anitasokolsky@yahoo.com>

Cc: lfmlaw@earthlink.net, Manheimer.Kelly@epa.mail.epa.gov, RM@bypro1.com, Marie Rongone/R9/USEPA/US@EPA, Frederick Schaffler/R9/USEPA/US@EPA

Date: 11/19/2010 12:15 PM

Subject Re: EPA Access to LA By Pro landfills

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Anita:

EPA is extremely disappointed to hear that Los Angeles By Products is refusing to grant us access to its properties in order to conduct sampling activities in support of the second interim remedy for the North Hollywood Operable Unit of the San Fernando Valley Area 1 Superfund site.

As you recall from our discussions the last time EPA sought access to conduct sampling at LABP's properties, EPA has authority under both the terms of the 1997 consent decree, to which your client is a signatory, and independently under Section 104(e)(3) of CERCLA.

The last time your client refused to grant EPA access to its properties in order to conduct sampling, EPA issued a unilateral administrative order under Section 106 of CERCLA. If your client continues to refuse access we will again consider all enforcement options available to us.

Your client's refusal to cooperate with EPA in this matter as well as in the interim funding process and in previous requests for access is looked

upon very unfavorably by EPA.

If you have any questions, please feel free to contact me at the number provided below.

Mike

Michael Massey
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Anita sokolsky ---11/19/2010 09:51:38 AM---Mike and Kelly, At this time we are not granting EPA and/or its consultants access to LA By Products

From: Anita sokolsky <anitasokolsky@yahoo.com>
To: Michael Massey/R9/USEPA/US@EPA, Manheimer.Kelly@epa.mail.epa.gov
Cc: lfmlaw@earthlink.net, RM@bypro1.com
Date: 11/19/2010 09:51 AM
Subject: EPA Access to LA By Pro landfills

Mike and Kelly, At this time we are not granting EPA and/or its consultants access to LA By Products property. We will need to know under what legal authority you are making this demand for access? Thank you for your attention. Anita Sokolsky